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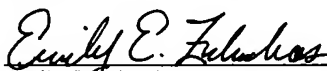
DOCKET NO.: C1037.70051US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bratzler et al.
Serial No.: 10/666,733
Confirmation No.: 6968
Filed: September 19, 2003
For: NUCLEIC ACIDS FOR THE TREATMENT OF DISORDERS ASSOCIATED WITH MICROORGANISMS
Examiner: Emily M. Le
Art Unit: 1648

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 3rd day of April, 2006.


Emily E. Zukauskas

MAIL STOP AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement
- PTO Form 1449 with cited references
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:



Helen C. Lockhart, Ph.D., Reg. No.: 39,248
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: C1037.70051US00
Date: April 3, 2006
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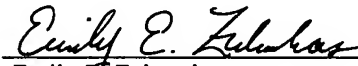
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Emily E. Zukauskas

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>	<u>Docket No.</u>
09/316,199	05-21-1999	McCluskie et al.	C1040.70006US00
09/337,584	06-21-1999	Krieg et al.	C1039.70020US00
09/337,893	06-21-1999	Krieg	C1039.70022US00
09/630,319	07-31-2000	Krieg et al.	C1039.70042US00
09/655,319	09-05-2000	Krieg et al.	C1039.70041US00
09/669,187	09-25-2000	Krieg et al.	C1039.70035US00
09/786,436	09-03-1999	Wagner et al.	C1041.70010US00
10/187,489	07-02-2002	Krieg et al.	C1039.70062US00
10/532,746	04-26-2005	Ahluwalia et al.	*C1037.70035US01
10/668,050	09-22-2003	Bratzler et al.	*C1037.70052US00
10/811,226	03-26-2004	Wagner et al.	*C1041.70005US01
11/179,008	07-08-2005	Hartmann et al.	*C1039.70044US02
11/255,100	10-20-2005	Krieg et al.	*C1037.70059US01
11/296,572	12-07-2005	Krieg et al.	*C1039.70048US20
11/296,644	12-07-2005	Krieg et al.	*C1039.70083US15
11/301,360	12-09-2005	Bratzler et al.	*C1037.70013US02
11/361,313	02-24-2006	Krieg et al.	*C1037.70060US01
11/368,333	03-03-2006	Lipford et al.	*C1041.70037US01
11/368,334	03-03-2006	Krieg et al.	C1039.70065US01

*A copy of this reference is not provided as the Office has waived the requirement under 37 C.F.R. 1.98(a)(2)(iii) for submitting a copy of a cited U.S. patent application if it is scanned to the Image File Wrapper system and is available on Private PAIR.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

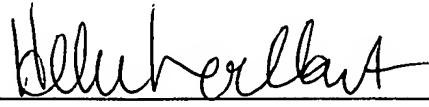
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

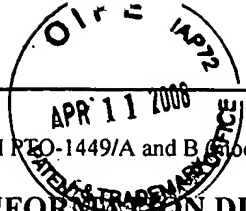
An early and favorable action is hereby requested.

Respectfully submitted,

By:


Helen C. Lockhart, Ph.D., Reg. No. 39,248
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

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FORM PTO-1449/A and B (Modified PTO/SB/08) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/666,733		ATTY. DOCKET NO.: C1037.70051US00		
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				GROUP ART UNIT: 1648		EXAMINER: Emily M. Le		
Sheet	1	of	18					

U.S. PATENT DOCUMENTS

Examiner's Initials #	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A1	5,248,670		Draper et al.	09-28-1993
	A2	5,457,189		Crooke et al.	10-10-1995
	A3	5,514,577		Draper et al.	05-07-1996
	A4	5,567,604		Rando et al.	10-22-1996
	A5	5,576,302		Cook et al.	11-19-1996
	A6	5,663,153		Hutcherson et al.	09-02-1997
	A7	5,679,647		Carson et al.	10-21-1997
	A8	5,684,147		Agrawal et al.	11-04-1997
	A9	5,723,335		Hutcherson et al.	03-03-1998
	A10	5,728,518		Carmichael	03-17-1998
	A11	5,804,566		Carson et al.	09-08-1998
	A12	5,849,719		Carson et al.	12-15-1998
	A13	6,174,872	B1	Carson et al.	01-16-2001
	A14	6,184,369	B1	Rando et al.	02-06-2001
	A15	6,194,388	B1	Krieg et al.	02-27-2001
	A16	6,207,646	B1	Krieg et al.	03-27-2001
	A17	6,214,806	B1	Krieg et al.	04-10-2001
	A18	6,218,371	B1	Krieg et al.	04-17-2001
	A19	6,221,882		Macfarlane	04-24-2001
	A20	6,225,292	B1	Raz et al.	05-01-2001
	A21	6,239,116	B1	Krieg et al.	05-29-2001
	A22	6,339,068	B1	Krieg et al.	01-15-2002
	A23	6,339,630		Macfarlane	06-04-2002
	A24	6,406,705	B1	Davis et al.	06-18-2002
	A25	6,426,336	B1	Carson et al.	07-30-2002
	A26	6,429,199	B1	Krieg et al.	08-06-2002
	A27	6,479,504		Macfarlane et al.	11-12-2002
	A28	6,498,147	B1	Nerenberg et al.	12-24-2002
	A29	6,498,147	B1	Raz	12-24-2002
	A30	6,503,533	B1	Korba et al.	01-07-2003
	A31	6,514,948	B1	Raz et al.	02-04-2003

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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				GROUP ART UNIT: 1648		EXAMINER: Emily M. Le	
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	A32	6,521,637		Macfarlane	02-18-2003
	A33	6,534,062	B1	Raz et al.	03-18-2003
	A34	6,552,006	B2	Raz et al.	04-22-2003
	A35	6,558,670	B1	Friede et al.	05-06-2003
	A36	6,562,798	B1	Schwartz	05-13-2003
	A37	6,589,940	B1	Raz et al.	07-08-2003
	A38	6,610,661	B1	Carson et al.	08-26-2003
	A39	6,613,751	B1	Raz et al.	09-02-2003
	A40	6,653,292	B1	Krieg et al.	11-25-2003
	A41	6,727,230	B1	Hutcherson et al.	04-27-2004
	A42	6,737,066	B1	Moss	05-18-2004
	A43	6,821,957	B1	Krieg et al.	11-23-2004
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	A46	6,949,520		Hartmann et al.	09-27-2005
	A47	7,001,890		Wagner et al.	02-26-2006
	A48	2001-0046967	A1	Van Nest et al.	11-29-2001
	A49	2002-0028784	A1	Van Nest et al.	03-07-2002
	A50	2002-0042387	A1	Raz et al.	04-11-2002
	A51	2002-0055477	A1	Van Nest et al.	05-09-2002
	A52	2002-0065236	A1	Yew et al.	05-30-2002
	A53	2002-0086839	A1	Raz et al.	07-04-2002
	A54	2002-0091097	A1	Bratzler et al.	07-11-2002
	A55	2002-0098199	A1	Van Nest et al.	07-25-2002
	A56	2002-0107212	A1	Van Nest et al.	08-08-2002
	A57	2002-0142978	A1	Raz et al.	10-03-2002
	A58	2002-0164341	A1	Davis et al.	11-07-2002
	A59	2003-0022852	A1	Van Nest et al.	01-30-2003
	A60	2003-0027782	A1	Carson et al.	02-06-2003
	A61	2003-0026801	A1	Weiner et al.	02-06-2003
	A62	2003-0049266	A1	Fearon et al.	03-13-2003
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	A65	2003-0059773	A1	Van Nest et al.	03-27-2003
	A66	2003-0064064	A1	Dina et al.	04-03-2003

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	A67	2003-0078223	A1	Raz et al.	04-24-2003
	A68	2003-0091599	A1	Davis et al.	05-15-2003
	A69	2003-0092663	A1	Raz et al.	05-15-2003
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	A73	2003-0125284	A1	Raz et al.	07-03-2003
	A74	2003-0129251	A1	Van Nest et al.	07-10-2003
	A75	2003-0130217	A1	Raz et al.	07-10-2003
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	A77	2003-0139364	A1	Krieg et al.	07-24-2003
	A78	2003-0142977	A1	Murgatroyd et al.	07-31-2003
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	A81	2003-0148316	A1	Lipford et al.	08-07-2003
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	A83	2003-0175731	A1	Fearon et al.	09-18-2003
	A84	2003-0176373	A1	Raz et al.	09-18-2003
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	A90	2003-0203861	A1	Carson et al.	10-30-2003
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	A92	2003-0212028	A1	Raz et al.	11-13-2003
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	A97	2003-0232780	A1	Carson et al.	12-18-2003
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	A99	2004-0006010	A1	Carson et al.	01-08-2004
	A100	2004-0006034	A1	Raz et al.	01-08-2004
	A101	2004-0009942	A1	Van Nest et al.	01-15-2004

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	A102	2004-0009949	A1	Krieg	01-15-2004
	A103	2004-0030118	A1	Wagner et al.	02-12-2004
	A104	2004-0053880	A1	Krieg	03-18-2004
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	A131	2004-0234512	A1	Wagner et al.	11-25-2004
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	A135	2004-0235778	A1	Wagner et al.	11-25-2004
	A136	2004-0247662	A1	Dow et al.	12-09-2004

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	A137	2004-0266719	A1	McCluskie et al.	12-30-2004
	A138	2005-0004061	A1	Krieg et al.	01-06-2005
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	A143	2005-0032734	A1	Davis et al.	02-10-2005
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	A157	2005-0075302	A1	Hutcherson et al.	04-07-2005
	A158	2005-0079152	A1	Bot et al.	04-14-2005
	A159	2005-0100983	A1	Bauer et al.	05-12-2005
	A160	2005-0101554	A1	Krieg et al.	05-12-2005
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	A162	2005-0119273	A1	Lipford et al.	06-02-2005
	A163	2005-0123523	A1	Krieg et al.	06-09-2005
	A164	2005-0130911	A1	Uhlmann et al.	06-16-2005
	A165	2005-0148537	A1	Krieg et al.	07-07-2005
	A166	2005-0169888	A1	Hartman et al.	08-04-2005
	A167	2005-0171047	A1	Krieg et al.	08-04-2005
	A168	2005-0181422	A1	Bauer et al.	08-18-2005
	A169	2005-0182017	A1	Krieg	08-18-2005
	A170	2005-0197314	A1	Krieg et al.	09-08-2005
	A171	2005-0215500	A1	Krieg et al.	09-29-2005

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	A172	2005-0215501	A1	Lipford et al.	09-29-2005
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